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 Attorney for Defendant:  
 Quality Loan Service Corporation

**IN THE UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JONATHAN V. DAVID,

Plaintiff,

v.

WELLS FARGO BANK, N.A.; QUALITY  
 LOAN SERVICE CORPORATION;  
 MORTGAGE ELECTRONIC  
 REGISTRATION SYSTEMS, INC.; and  
 DOES 1-100,

Defendants.

Case No.: 2:11-cv-01847-LDG-PAL

**ORDER GRANTING  
 JOINDER MOTION TO DISMISS  
 PLAINTIFF'S COMPLAINT FILED BY  
 QUALITY LOAN SERVICE  
 CORPORATION**

Defendants, Wells Fargo Bank, N.A. and Mortgage Electronic Registrations Systems, Inc. filed a Motion to Dismiss Plaintiff's Complaint pursuant to FRCP 12(b)(6) on January 18, 2012 (Docket No. 7). On January 19, 2012, Defendant, Quality Loan Service Corporation filed a Joinder to the Motion to Dismiss (Docket No. 11). The Docket Report shows that Plaintiff has failed to file a response to the Motion to Dismiss..

The Court having considered the moving papers, its own files, and good cause appearing, rules as follows:

1. Pursuant to Local Rule 7-2(b), any Response and/or Opposition to Defendants' Motion to Dismiss was required to be filed with the Court and served within fourteen days after

1 service of the motion. No Response and/or Opposition has been filed by the Plaintiff regarding  
 2 this matter. Pursuant to Local Rule 7-2(d), the failure of an opposing party to file Points and  
 3 Authorities in response to any Motion shall constitute consent to the granting of the motion.

4 2. The Court may grant the Motion to Dismiss for failure to follow local rules. *Ghazali*  
 5 *v. Moran*, 46 F.3d 52 (9<sup>th</sup> Cir. 1995). Before dismissing the action, the district court is required  
 6 to weigh several factors: (1) the public's interest in expeditious resolution of litigation; (2) the  
 7 court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy  
 8 favoring disposition of cases of their merits; and (5) the availability of less drastic sanctions.  
 9 The Court has considered these factors and finds that Plaintiff has received notice and has been  
 10 given ample time to respond.

11 IT IS THEREFORE ORDERED, that based on the foregoing, the Motion to Dismiss  
 12 Plaintiff's Complaint for failure to state a claim for relief and Quality Loan Service  
 13 Corporation's joinder thereto is GRANTED and Defendant, Quality Loan Service Corporation is  
 14 hereby dismissed with prejudice.

15 IT IS SO ORDERED this 29 day of Feb, 2012.

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 UNITED STATES DISTRICT COURT JUDGE

Respectfully submitted,

McCarthy & Holthus

By: /s/Christopher M. Hunter  
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